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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/813,402

03/31/2004

Gabor Bajko

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EXAMINER

HO, DUC CHI

ART UNIT

PAPER NUMBER

2616

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/813,402

Applicant(s)

BAJKO ET AL.

Examiner

Duc C. Ho

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3-31-04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 04-19-05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4-5, 12, 20-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Tighe et al.(US 7,069,432), hereinafter referred to as Tighe.

Regarding claim 1, Tighe discloses system and method for providing security in a telecommunication network.

determining, in a first network, an address associated with a called party (the authentication controller 25-fig.1 determines an address associated with a trusted device or a called party, see col.10-line 61 to col.11-line 2);

determining based on said address if said called party is in a trusted network (the determination may base on whether the address is contained in an approved address list of a trusted network); and

controlling communication between the called party and a calling party based on if said called party is in the trusted network (therefore a communication between the trusted device and an untrusted device or calling party may be established).

Regarding claim 4, Tighe discloses a step of checking the address of the called party in an approved address list, see col. 10, lines 61-66.

Regarding claim 5, Tighe discloses a step of determining if the called party is in a trusted network by checking the address of the called party in an approved address list of trusted networks, see col. 10-line 61 to col. 11-line 2.

Regarding claim 12, if the called party is not in the trusted network, the controller 25-fig.1 could discard at least one message for the called party.

Regarding claims 20, and 21, these claims have similar limitations as claim 1. Therefore, they are rejected under Tighe for the same reasons as set forth in the rejection of claim 1.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 2-3, 6-11, 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tighe, in view of the admitted prior art of the instant application in paragraphs [0010-0016], hereinafter referred to as the APA.

Regarding claim 2, Tighe discloses all claimed limitations, except the step of determining in the first network comprises determining the address contained in a message for the called party.

One skill in the art would recognize the advantage of implementing a mechanism in which privacy could be maintained between a calling party and a called party by determining the address contained in a message.

The APA discloses privacy procedures in RFC3325, in which a message sent by a caller contains a header (including an address) identifying the caller is sent to a called party. The caller could ask for privacy, and in that case the asserted-identity header has to be removed before it reaches the called party, if the called party is not trusted.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Tighe with the APA.

The suggestion/motivation for doing so would have been to provide a measure of privacy if the called party is not trusted.

Therefore, it would have been obvious to combine Tighe with the APA to obtain the invention as specified in claim 2.

Regarding claim 3, please see the rejection of claim 2. The step of determining should include a step of determining the address contained in the packet-formed message.

Regarding claim 6, Tighe discloses all claimed limitations, except a step of determining if the called party is in the trusted network comprises checking if the address is contained in the database provided in a call session control function or a security gateway.

The APA discloses that the Internet Protocol Multimedia Domain (IM) supports the SIP. An invitation to a particular session can be delivered to the endpoints or users, and to achieve this SIP provides a storing mechanism (database) for devices and users.

It would have been obvious at the time invention was made, to employ a storing mechanism in a call session control function into the trusted network of Tighe so that the trusted network could check to see if the address of the called party is contained in the storing mechanism provided in the call session control. The motivation is to assert the identity of end users or end systems, and to convey indications of end-user requested privacy if the called party is not trusted.

Regarding claim 7, please see the rejection of claim 6. The IP address contained in the storing mechanism should comprise IM domain associated with the trusted network and IP addresses of the trusted network.

Regarding claim 8, please see the rejection of claim 6. The address in the storing mechanism contains a domain name-that is the IM, see [0011] of the APA.

Regarding claim 9, in the APA the IP addresses could be mapped into domain name, therefore, the determining step could comprise a step sending a request for the domain name.

Regarding claim 10, in the APA the IP addresses could be mapped into domain name, therefore, the determining step could comprise a step sending a request to a domain name server.

Regarding claim 11, in Tighe if the address does not contain the domain name, the controller 25-fig.1 would assume that the called party is an untrusted network.

Regarding claim 13, Tighe discloses all claimed limitation, except the step if the called party is not in the trusted network, the step of controlling comprises modifying at least one message for the called party.

The APA discloses RFC 3325 that enables modification of messages between the calling and called party or with one or more endpoints, see [0010-0016].

It would have been obvious at the time invention was made, to employ the RFC 3325 as taught by the APA into the system of Tighe so that a message between the caller and the called party could be modified. The motivation is to provide end-user privacy as requested by the caller if the called party is not in the trusted network.

Regarding claim 14, please see the rejection of claim 13. The APA discloses removing the identity information relating to the called party, see [0014].

Regarding claim 15, please see the rejection of claim 13. The APA discloses removing the identity information comprising a p-asserted-identity header, see [0014].

Regarding claim 16, Tighe discloses all claimed limitations, except operating the first network and the second network in accordance with session initiation protocol.

The APA discloses the RFC3325, see [0012], that enables a network of trusted SIP servers to assert the identity of end users or end systems, and to convey indications of end-user requested privacy.

It would have been obvious at the time invention was made, to employ the operation of SIP into the system of Tighe so that sessions with one or more participants

(endpoints) could be created, modified, and terminated. The motivation is to convey indications of end-user requested privacy by modification of the p-asserted-identity header.

6. Claims 22-24, and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tighe, in view of the admitted prior art of the instant application in paragraphs [0010-0016], hereinafter referred to as the APA, and further in view of Peles (US 2004/0111642).

Regarding claim 22, Tighe and the APA disclose all claimed limitations, except steps (1) of determining, in a first network, if there is a secure connection with a second network, and (2) modifying a message from a calling party to a called party if a determination is made that there is no secure connection with the second network.

Peles discloses content security by network switch. The security switch 106-fig.1 parses and incoming request and identifies the file name extension-fig.2 whether it falls into the "trusted" (corresponding to secure connection or not) file extension or not, see [0047].

It would have been obvious at the time invention was made, to employ a mechanism to determine whether a connection is secured or not into the combination system of Tighe and the APA so that the controller 25-fig.1 of Tighe could determine if there is a secure connection between the caller and the called party, and if there is no secure connection, then the message from the caller to the called party will be modified as taught by the APA. The motivation is to provide end-user requested privacy to the participants or the endpoints in which identity of the caller will be removed in case of no secure connection between the two parties.

Regarding claim 23, please see the rejection of claim 22. In Peles the step of determining is performed in the switch 106-fig.1.

Regarding claim 24, please see the rejection of claim 22. In Peles the step of determining is performed in the switch 106-fig.1 which includes an inspection gateway 110-fig.1.

Regarding claims 17-19, these claims have similar limitations as claims 22-24, respectively. Therefore, they are rejected under Tighe-the APA-Peles for the same reasons as set forth in the rejection of claims 22-24.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. French et al.(US 2006/0150243); Brown et al.(US 2005/0238151); Bonn et al.(US 2005/0022027) are cited to show method of communication, which is considered pertinent to the claimed invention.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (571) 272-3147. The examiner can normally be reached on Monday through Thursday from 7:30 am to 6:00 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel, can be reached on (571) 272-2988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner

A handwritten signature in black ink, appearing to read 'Duc Ho', with a long horizontal flourish extending to the right.

Duc Ho

8-7-07